

**FILED**

**MAY - 5 2017**

Clerk, U.S. District Court  
District Of Montana  
Billings

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

JAMES L. BARKER AND  
JEANNE A. BARKER,

Plaintiffs,

vs.

BANK OF AMERICA, N.A.,  
ONEWEST BANK, CIT BANK, N.A.,  
FIRST AMERICAN TITLE  
COMPANY OF MONTANA, INC.,  
Trustee, CHARLES PETERSON,  
Trustee,

Defendants.

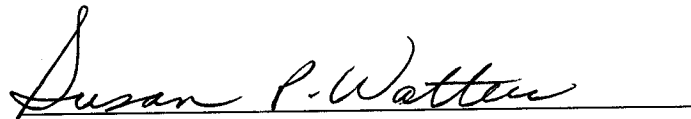
CV 17-21-BLG-SPW-TJC

ORDER

Defendant Bank of America, N.A. ("BOA") filed its Motion to Dismiss (Doc. 3) on February 23, 2017. Prior to any further briefing on the motion, the Court entered an order dismissing BOA from this case based on the stipulation of the parties. (See Docs. 9, 10). Accordingly,

IT IS ORDERED that BOA's Motion to Dismiss (Doc. 3) is DENIED as moot.

DATED this 4<sup>th</sup> day of May, 2017.

A handwritten signature in cursive script, reading "Susan P. Watters", written over a horizontal line.

Susan P. Watters  
U. S. DISTRICT JUDGE